

F O R E S I G H T

EPA Region 5 Records Ctr.

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205269

August 28, 1992

Ms. Karen Martin
Community Relations Coordinator
Mail Code PS-19J
United States Environmental
Protection Agency - Region V
77 West Jackson Boulevard
Chicago, IL 60604-3590

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To: 310 333 1677
Fr: 310 333 1649

Re: American Chemical Services Superfund Site ("ACS")
Public Comment for Inclusion in the Record of Decision

Dear Ms. Martin:

I am writing on behalf of I.B. Distributors, Inc., formerly known as Illinois Bronze Paint Company, a potentially responsible party ("PRP") at the American Chemical Services Superfund Site in Griffith, Indiana.

Over the past year and a half, the ACS steering committee has demonstrated a willingness and an ability to work with the agency on a constructive and pro-active basis, toward the final goal of achieving a timely and efficacious remediation of the site. The committee's active participation in these efforts have, we believe, made important contributions to this "team" effort. We had every hope that the constructive dialog that has gotten the remedial project to this stage would have continued throughout the final selection of the preferred remedy and the issuance of the Record of Decision ("ROD").

We are greatly distressed however, to learn that the channels of communication that have served the team so well in the past appear for some reason to have broken down. For reasons unclear to us, the Agency has apparently refused to meet with the committee, which seeks to discuss the Agency's recent selection of a new alternative remedy, and the problems and ramifications associated with this decision.

We have been advised by Warzyn, Inc., consulting engineers, that the recently proposed Alternative 6(b) may require substantial incineration operations, and, could result in total remediation costs approaching, or even exceeding, \$80,000,000.

While we remain committed to doing our fair share at this site, the resources of this company, and I am sure, of the other PRP's, are not limitless. Moreover, many PRP's have also been named at other sites as well. In many instances, the extent of financial liability that some companies face many times exceeds their net worth, or even their projected revenue streams for decades on end. This is a very real problem that must be faced.

Clearly, the money that must be found for the cleanup up of the American Chemical Services Superfund Site will have to come from somewhere. Similarly, hundreds of millions of dollars will have to be generated to address the many other Superfund sites within EPA Region V as well. While the selection of an \$80,000,000 remedy can indeed be made by the Agency with the stroke of a pen, it is quite another thing to finance such an undertaking. To generate these kinds of funds, many companies may have to sell off some or all of their assets, and lay off their workers permanently. Other companies will be forced to liquidate and declare bankruptcy. Still other companies will leave the region permanently, taking with them thousands of jobs. In sum, the effect of the imposition of such staggering liabilities is a blow from which many companies will never recover. In turn, the effects on the local workforce and economy may be pronounced and severe.

We fully understand and agree with the Agency in it's desire to find remedies that will best protect human health and the environment, and we remain committed to doing our fair share to make certain that this site is remediated. However, we would respectfully remind those within the Agency who will ultimately make these decisions that the search for a cost effective, environmentally responsible method of remediation at the ACS site is a meaningful and proper enterprise; and the pilot programs that the ACS committee have proposed are consistent with those goals espoused within the NPL, and indeed the agency's own SITE program, which seeks to identify cost effective and non-polluting methods of hazardous waste remediation.

We would therefore, respectfully request that the Agency delay the issuance of the ROD until such time as the ACS committee has had an opportunity to meet with the Agency and discuss it's comments and proposals in person in an open minded and constructive atmosphere; or in the alternative, make such provisions within the ROD so as to provide for the design and implementation of the pilot study programs that the committee has set forth in it's recent correspondence with the Agency.

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Thank you for your consideration of these matters.

Very truly yours,

A handwritten signature in dark ink, appearing to be 'Mark A. Rothschild', written over a horizontal line.

Mark A. Rothschild
for I.B. DISTRIBUTORS, INC.

cc: V. Adamkus
W. Reilly
L. Dixon

FORESIGHT
CONSULTING

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Suite 210
Santa Monica
California 90401



Fold at line over top of envelope to the
right of the return address.

CERTIFIED

P 428 094 654

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